

SECOND REGULAR SESSION

SENATE BILL NO. 962

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAMPION.

Read 1st time January 16, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4395S.01I

AN ACT

To repeal sections 191.400, 192.014, and 660.062, RSMo, and to enact in lieu thereof one new section relating to the board of health and senior services.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 191.400, 192.014, and 660.062, RSMo, are repealed

2 and one new section enacted in lieu thereof, to be known as section 192.008, to
3 read as follows:

192.008. 1. There is hereby created a "State Board of Health and
2 Senior Services" which shall consist of nine members, who shall be
3 appointed by the governor, with the advice and consent of the senate.
4 No member of the state board of health and senior services shall hold
5 any other office or employment under the state of Missouri other than
6 in a consulting status relevant to the member's professional status,
7 licensure, or designation. Not more than five of the members of the
8 state board of health and senior services shall be from the same
9 political party.

10 2. Each member shall be appointed for a term of four years;
11 except that of the members first appointed, two shall be appointed for
12 a term of one year, two for a term of two years, two for a term of three
13 years, and three for a term of four years. The successors of each shall
14 be appointed for full terms of four years. No person may serve on the
15 board for more than two terms. If a vacancy occurs in the membership,
16 the governor may appoint a member for the remaining portion of the
17 unexpired term created by the vacancy. If the vacancy occurs while the
18 senate is not in session, the governor shall make a temporary

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 appointment subject to the approval of the senate when it next
20 convenes. The terms of all members shall continue until their
21 successors have been duly appointed and qualified.

22 3. The board shall consist of the following nine members:

23 (1) At least three of the persons shall be licensed by the state
24 board of registration for the healing arts, the Missouri dental board,
25 the Missouri board of nursing, or the Missouri state board of
26 chiropractic examiners;

27 (2) One of the members shall be a person not licensed by the
28 state board of registration for the healing arts, the Missouri dental
29 board, Missouri board of nursing, or the Missouri state board of
30 chiropractic examiners and shall be representative of those persons,
31 professions, and businesses which are regulated and supervised by the
32 department of health and senior services;

33 (3) One of the members shall have experience in the field of
34 public health;

35 (4) One of the members shall have expertise in nutrition;

36 (5) One of the members shall have expertise in rehabilitation
37 services of persons with disabilities;

38 (6) One of the members shall be currently working in the field of
39 gerontology; and

40 (7) In making the remaining appointments, the governor shall
41 give consideration to individuals having a special interest in public
42 health, gerontology, or disability-related issues, including senior
43 citizens.

44 4. The governor shall select from among the board membership
45 a chairperson and a vice chairperson, who shall act as chairperson in
46 his or her absence. The board shall meet at the call of the
47 chairperson. The chairperson may call meetings at such times as he or
48 she deems advisable, and shall call a meeting when requested to do so
49 by three or more members of the board. The members shall receive
50 actual and necessary expenses plus seventy dollars per day for each
51 day of actual attendance.

52 5. The state board of health and senior services shall advise the
53 department of health and senior services in the:

54 (1) Promulgation of rules and regulations by the department of
55 health and senior services;

56 **(2) Formulation of the budget for the department of health and**
57 **senior services;**

58 **(3) Planning for and operation of the department of health and**
59 **senior services.**

60 **6. The state board of health and senior services shall annually**
61 **evaluate all boards, councils, committees, authorities, and bodies**
62 **advisory to, or an adjunct of, the department of health and senior**
63 **services or its director for the purpose of recommending to the director**
64 **one or more of the following:**

65 **(1) The elimination of bodies whose activities are not consistent**
66 **with goals and objectives of the department;**

67 **(2) The consolidation of bodies whose activities encompass**
68 **compatible programmatic subjects;**

69 **(3) The restructuring of the relationship between the various**
70 **bodies and their integration within the organizational structure of the**
71 **department;**

72 **(4) The establishment of new bodies deemed essential to the**
73 **functioning of the department.**

 [191.400. 1. There is hereby created a "State Board of
2 Health" which shall consist of seven members, who shall be
3 appointed by the governor, by and with the advice and consent of
4 the senate. No member of the state board of health shall hold any
5 other office or employment under the state of Missouri other than
6 in a consulting status relevant to the member's professional status,
7 licensure or designation. Not more than four of the members of the
8 state board of health shall be from the same political party.

 2. Each member shall be appointed for a term of four years;
10 except that of the members first appointed, two shall be appointed
11 for a term of one year, two for a term of two years, two for a term
12 of three years, and one for a term of four years. The successors of
13 each shall be appointed for full terms of four years. No person may
14 serve on the state board of health for more than two terms. The
15 terms of all members shall continue until their successors have
16 been duly appointed and qualified. Three of the persons appointed
17 to the state board of health shall be persons who are physicians
18 and surgeons licensed by the state board of registration for the

19 healing arts of Missouri. One of the persons appointed to the state
20 board of health shall be a dentist licensed by the Missouri dental
21 board. One of the persons appointed to the state board of health
22 shall be a chiropractic physician licensed by the Missouri state
23 board of chiropractic examiners. Two of the persons appointed to
24 the state board of health shall be persons other than those licensed
25 by the state board of registration for the healing arts, the Missouri
26 dental board, or the Missouri state board of chiropractic examiners
27 and shall be representative of those persons, professions and
28 businesses which are regulated and supervised by the department
29 of health and senior services and the state board of health. If a
30 vacancy occurs in the appointed membership, the governor may
31 appoint a member for the remaining portion of the unexpired term
32 created by the vacancy. If the vacancy occurs while the senate is
33 not in session, the governor shall make a temporary appointment
34 subject to the approval of the senate when it next convenes. The
35 members shall receive actual and necessary expenses plus
36 twenty-five dollars per day for each day of actual attendance.

37 3. The board shall elect from among its membership a
38 chairperson and a vice chairperson, who shall act as chairperson in
39 his or her absence. The board shall meet at the call of the
40 chairperson. The chairperson may call meetings at such times as
41 he or she deems advisable, and shall call a meeting when requested
42 to do so by three or more members of the board.]

[192.014. The state board of health shall advise the
2 department of health and senior services in the:

3 (1) Promulgation of rules and regulations by the
4 department of health and senior services. At least sixty days
5 before the rules and regulations prescribed by the department or
6 any subsequent changes in them become effective, a copy shall be
7 filed in the office of the secretary of state. All rules and
8 regulations promulgated by the department shall, as soon as
9 practicable after their adoption, be submitted to the general
10 assembly. The rules and regulations shall continue in force and
11 effect until disapproved by the general assembly;

12 (2) Formulation of the budget for the department of health

13 and senior services;

14 (3) Planning for and operation of the department of health
15 and senior services.]

[660.062. 1. There is hereby created a "State Board of
2 Senior Services" which shall consist of seven members, who shall
3 be appointed by the governor, by and with the advice and consent
4 of the senate. No member of the state board of senior services shall
5 hold any other office or employment under the state of Missouri
6 other than in a consulting status relevant to the member's
7 professional status, licensure or designation. Not more than four
8 of the members of the state board of senior services shall be from
9 the same political party.

10 2. Each member shall be appointed for a term of four years;
11 except that of the members first appointed, two shall be appointed
12 for a term of one year, two for a term of two years, two for a term
13 of three years and one for a term of four years. The successors of
14 each shall be appointed for full terms of four years. No person may
15 serve on the state board of senior services for more than two
16 terms. The terms of all members shall continue until their
17 successors have been duly appointed and qualified. One of the
18 persons appointed to the state board of senior services shall be a
19 person currently working in the field of gerontology. One of the
20 persons appointed to the state board of senior services shall be a
21 physician with expertise in geriatrics. One of the persons
22 appointed to the state board of senior services shall be a person
23 with expertise in nutrition. One of the persons appointed to the
24 state board of senior services shall be a person with expertise in
25 rehabilitation services of persons with disabilities. One of the
26 persons appointed to the state board of senior services shall be a
27 person with expertise in mental health issues. In making the two
28 remaining appointments, the governor shall give consideration to
29 individuals having a special interest in gerontology or
30 disability-related issues, including senior citizens. Four of the
31 seven members appointed to the state board of senior services shall
32 be members of the governor's advisory council on aging. If a
33 vacancy occurs in the appointed membership, the governor may

34 appoint a member for the remaining portion of the unexpired term
35 created by the vacancy. The members shall receive actual and
36 necessary expenses plus twenty-five dollars per day for each day of
37 actual attendance.

38 3. The board shall elect from among its membership a
39 chairman and a vice chairman, who shall act as chairman in his or
40 her absence. The board shall meet at the call of the
41 chairman. The chairman may call meetings at such times as he or
42 she deems advisable, and shall call a meeting when requested to do
43 so by three or more members of the board.

44 4. The state board of senior services shall advise the
45 department of health and senior services in the:

46 (1) Promulgation of rules and regulations by the
47 department of health and senior services;

48 (2) Formulation of the budget for the department of health
49 and senior services; and

50 (3) Planning for and operation of the department of health
51 and senior services.]

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